

Application No. 10/009,574
Amendment dated December 22, 2004
Reply to Office action dated 07/07/2004

REMARKS/ARGUMENTS

Claim Rejections under 35 USC §112 and 35 USC §101

Applicants cancellation of Claim 12 overcomes and renders the Examiners objection to Claim 12, under 35 USC §112 and 35 USC §101, moot and Applicants respectfully request that the Examiner withdraw their rejection.

Claim Rejections under 35 USC §102

The Examiner rejects Claims 11 under 35 USC §102(b) as being allegedly anticipated by Meltzer et al., Applicants respectfully disagree with the Examiner. As noted by the Examiner in order for a reference to constitute prior art under §102(b) it must have been "described in a printed publication in this or a foreign country..., more than one year prior to the date of the application."

Applicants respectfully point out that the instant application claims priority to PCT/GB99/11499, filed on May 19, 1999. Applicants point out that the Examiners reliance on this reference is in error since Meltzer et al. was published August 18, 1999, almost three months after the Applicants priority application. In light of this, Applicants respectfully ask the examiner to withdraw their §102 rejection based on this reference.

Claim Rejections under 35 USC §103

The Examiner objects to Claims 1-12 under 35 USC §103(a) as being unpatentable over Meltzer et al., Applicants respectfully disagree with the Examiner. Again, Applicants point out that Meltzer et al does not predate Applicants priority application filed on May 19, 1999. In view of this, Applicants respectfully request that the Examiner withdraw their §103 rejection based on this reference.

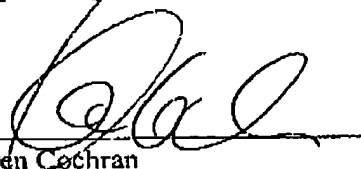
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Conclusion

In view of the amendments presented herein and the arguments above, Applicants respectfully request that the Examiner reconsider and withdraw all rejections and that a timely Notice of Allowance be issued in this case.

Respectfully submitted,

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